

Message Text

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ACTION EUR-12

INFO OCT-01 IO-10 ISO-00 L-03 CU-02 BIB-01 SAJ-01 MMS-01

CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00 USIE-00 INRE-00

PM-03 H-02 INR-07 NSC-05 PA-01 PRS-01 SP-02 SS-15

NEA-10 EURE-00 /077 W

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FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 3739

INFO AMEMBASSY MOSCOW

USMISSION NATO

C O N F I D E N T I A L GENEVA 4488

E.O. 11652: GDS

TAGS: CSCE, PFOR, XG

SUBJECT: CSCE: HUMAN CONTACTS -- RELIGIOUS TRAVEL

REF: STATE 137521

1. WE INFORMED NATO CAUCUS JUNE 13 THAT WE CONTINUE TO HAVE DIFFICULTIES WITH PHRASE "WITHIN THE CONSTITUTIONAL FRAMEWORK" IN RELIGIOUS TRAVEL TEXT. IN VIEW OF FACT THAT WE ARE NOW ALONE IN OPPOSING COMPROMISE TEXT (SEE GENEVA 4392) (UK HAS DROPPED ITS OBJECTIONS), CAUCUS ADVISED US TO TRY TO WORK IT OUT BILATERALLY WITH THE SOVIETS.

2. WE THEN SAW DUBININ PRIVATELY AND EXPLAINED PROBLEMS DEPARTMENT HAS RAISED WITH REGARD TO "CONSTITUTIONAL FRAMEWORK" PHRASE. DURING COURSE OF DISCUSSION WITH HIM WE SUGGESTED (A) DELETING THIS PHRASE ENTIRELY (CLEARLY UNACCEPTABLE TO THE SOVIETS); (B) REFERENCE TO UNIVERSAL DECLARATION ON HUMAN RIGHTS (DUBININ SAID THIS WAS ALSO UNACCEPTABLE AND NOTED THAT SOVIETS BALANCED SUCH A REFERENCE IN HUMAN RIGHTS PRINCIPLE WITH A REFERENCE TO INTERNATIONAL COVENANTS ON HUMAN RIGHTS, WHICH HE
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ASSUMED WOULD BE UNACCEPTABLE TO US); AND (C) REFERENCE

TO PRINCIPLE OF HUMAN RIGHTS (DUBININ FOUND THIS MOST PROMISING AVENUE OF POSSIBLE COMPROMISE).

3. AFTER CHECKING WITH SOVIET DEL HEAD KOVALEV, DUBININ SAID REFERENCE TO HUMAN RIGHTS PRINCIPLE ALONE WOULD BE UNACCEPTABLE, BUT THAT A REFERENCE TO ALL PRINCIPLES MIGHT BE ALRIGHT, PROVIDED THERE IS AN ADDITIONAL CAVEAT TO EFFECT THAT RELIGIOUS GROUPS ARE "LEGITIMATE". WE TOLD DUBININ WE THOUGHT THIS WOULD BE WORSE THAN "WITHIN THE CONSTITUTIONAL FRAMEWORK", AND HE SAID EXACT WORDS WERE NOT TOO IMPORTANT, BUT SOME CAVEAT OF THIS KIND WAS REQUIRED.

4. WE REPORTED THIS DISCUSSION TO NATO CAUCUS, WHICH EXPRESSED SOME CONCERN AT APPARENT SOVIET BACKSLIDING, AND URGED US TO ACCEPT "CONSTITUTIONAL FRAMEWORK" AS BEST ATTAINABLE RESULT. WE STRESSED NEED FOR A BETTER PHRASE. CAUCUS THEN SENT NEUTRAL EMISSARIES TO TRY TWO ALTERNATIVE COMPROMISE PHRASES ON DUBININ:

(A) "WITHIN THE FRAME WORK OF THE RELEVANT INTERNATIONAL DOCUMENTS ON HUMAN RIGHTS"; AND

(B) "WITHIN THE FRAMEWORK OF THE CSCE PRINCIPLES".

DUBININ REJECTED BOTH OF THESE ALTERNATIVES OUT OF HAND. WE INDICATED THAT IN ANY CASE WE WERE STICKING TO OUR OWN PROPOSED AMENDMENTS AND HAD NO AUTHORITY TO ACCEPT COMPROMISE PHRASES. ALL AGREED TO REFLECT ON THE SITUATION OVER THE WEEKEND AND MEET AGAIN ON MONDAY, JUNE 16, TO SEE IF ANYONE HAS ANY OTHER BRILLIANT IDEAS FOR FINDING A COMPROMISE.

5. WE ARE NOW CLEARLY ISOLATED ON THIS ISSUE, WHICH ALL DELEGATIONS ARE ANXIOUS TO CONCLUDE, AND WOULD APPRECIATE URGENT FURTHER GUIDANCE ON HOW WE SHOULD NOW PROCEED. DALE

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